

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA

v.

HEATHER NATASHA WHITT

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**No. 3:05-CR-97
(Phillips)**

MEMORANDUM AND ORDER

This matter is before the court on the defendant's *pro se* motion to terminate supervised release [Doc. 66].

Defendant pled guilty to conspiracy to distribute and possession with intent to distribute cocaine base in violation of 21 U.S.C. § 841. On January 17, 2006, the defendant was sentenced to sixty months imprisonment, followed by five years of supervised release. Defendant states that she was released from the Bureau of Prisons six months early, after completing the Residential Drug Program. She has completed half of her term of supervised release.

The probation officer assigned to defendant's case has indicated that defendant has adhered to all conditions of supervision, has maintained a stable residence and employment history, and is currently taking college courses. Defendant has never tested positive for illicit drugs and has performed well while on supervision. Based on her

performance, her probation officer has no objection to the defendant's request for early termination. The United States has informed the court that in light of defendant's good conduct while on release, the government has no objection to early termination of supervised release.

Defendant moves for early termination of supervised release pursuant to 18 U.S.C. § 3583(e) which provides:

The court may, after considering the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4) (a)(5), (a)(6), and (a)(7) –

(1) terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.

18 U.S.C. § 3583(e)(1).

After carefully considering the requirements of the statute, the court finds that the relevant portions of 18 U.S.C. § 3553(a) support an early termination of defendant's supervised release. In support of this determination, the court notes that defendant has completed more than two years of her term of supervised release and that defendant is in compliance with the conditions of her release. The court also notes that defendant appears to be drug-free and has not experienced any confrontation with law enforcement. Accordingly, because the requirements of 18 U.S.C. § 3583(e)(1) has been satisfied and

in light of the lack of opposition by the government and no objection by the probation officer, the court finds defendant's motion for early termination of supervised release is well-taken, and it is hereby **GRANTED**. The defendant's term of supervised release is **TERMINATED**.

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips
United States District Judge